

# Shainis & Heltzman, Chartered

Counselors at Law

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May 6, 2019

Accepted / Filed

**VIA HAND DELIVERY**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington DC 20554  
Attn: Chief, Audio Division

MAY - 6 2019

Federal Communications Commission  
Office of the Secretary

**Re: KRBA(AM), Lufkin, TX (Fac. ID No. 63326)  
KSML(AM), Diboll, TX (Fac. ID No. 18106)  
KSML-FM, Huntington, TX (Fac. ID No. 33394)  
KYBI(FM), Lufkin, TX (Fac. ID No. 63327)  
KZXL(FM), Hudson, TX (Fac. ID No. 77846)**

Dear Ms. Dortch:

This is being filed on behalf of KASA Family Limited Partnership (“KASA Family”), licensee of Stations KRBA(AM) and KYBI(FM), Lufkin, Texas, KSML(AM), Diboll, Texas and KSML-FM, Huntington, Texas, as well as Pentagon Communications, LLC (“PC”), licensee of Station KZXL(FM), Hudson, Texas, pursuant to Section 1.65(c) of the Commission’s rules, in order to supplement the previous April 3, 2019 Section 1.65 filing. That filing reported that Stephen W. Yates, a principal in KASA Family and PC, entered a plea of guilty to a charge of Felony DWI and was sentenced to ten (10) years probation on September 14, 2017 and that, subsequently, Mr. Yates was arrested on or about March 29, 2018 on the charge of Striking an Unattended Vehicle, a Class B Misdemeanor under Texas law. *See* Attachment 1. As a result of his March 2018 arrest, Mr. Yates’

**Shainis & Peltzman, Chartered**

Ms. Marlene H. Dortch  
May 6, 2019  
Page 2 of 2

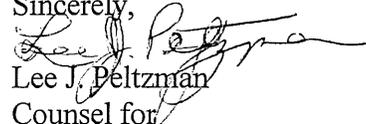
probation was revoked on September 21, 2018, and he was sentenced to a term of three-years imprisonment.

More specifically, a Complaint was filed against Stephen Yates on March 10, 2017 for the offense of “DWI Third.” A Judgment was entered in the 337<sup>th</sup> District Court of Harris County, Texas before the Presiding Judge, the Honorable Herb Ritchie, on September 14, 2017 (Case No. 154373101010). At that time, Mr. Yates was sentenced to a term of ten (10) years in the Texas Department of Criminal Justice – Institutional Division, which was probated for ten (10) years Community Supervision for the felony offense of DWI Third in accordance with Section 3 of Article 42.12, Texas Code of Criminal Procedure. *See* Attachment 2. Mr. Yates’ driver’s license was also suspended for two years.

On September 21, 2018, as a result of the March 2018 charge of Striking an Unattended Vehicle, Presiding Judge Herb Ritchie issued a Judgment Revoking Community Supervision, reforming the prior Judgment, and, in so doing, placed Mr. Yates in confinement for “three years Institutional Division, TDCJ.” *See* Attachment 3. Stephen W. Yates is currently confined in a Texas State penal institution.

This office will supply any additional information that it receives regarding Mr. Yates’ felony conviction and confinement and/or that the Commission requests be filed.

Sincerely,



Lee J. Peltzman

Counsel for  
KASA Family Limited Partnership  
and Pentagon Communications, LLC

Enclosure

# ATTACHMENT 1

Cause No. 18-1029

THE STATE OF TEXAS	§	IN THE COUNTY COURT
	§	
vs.	§	AT LAW NUMBER ONE OF
	§	
STEPHEN WALTER YATES	§	ANGELINA COUNTY, TEXAS

**JUDGMENT**

Date of Judgment: November 27, 2018

Attorney for the State: Gary Taylor

Attorney for the Defendant: Don Duran

Offense: Duty upon striking an unattended vehicle

Date of Offense: March 29, 2018

Class of Offense: B

Plea: ~~Guilty~~ *NO Contest*

Punishment: \$200.00 fine; \$263.10 court costs; 90 days in jail; to lay out the fine and court costs concurrently with the jail sentence; credit for 90 days served; to run concurrent with any other jail sentence being served.

Came on for consideration the foregoing cause wherein the Defendant, as indicated above, stands charged by information for the offense indicated above. The State of Texas appeared by the County Attorney as named above. The Defendant appeared in person and by counsel as named above.

This criminal action being classed as a misdemeanor, the Defendant requested in due form of law that a jury be waived and the case be tried before the Court. Whereupon, the Court and counsel representing the State also, properly approved and consented this case would be tried before the Court. All parties then proceeded with the hearing and the announcement of ready was timely made and entered for both State and defense. The attorney representing the State, in open Court, read the instrument charging the Defendant with the offense. The Court requested the foregoing Defendant to enter said Defendant's desired plea to the accusation contained in said instrument. In reply, the Defendant entered a plea of guilty to the charge contained in said instrument.

Thereafter, the Defendant was duly admonished of the consequences of the plea, as directed by law. It also plainly appeared to the Court that the Defendant was sane and uninfluenced, upon entering the plea, by any consideration of fear, and by any persuasion and delusive hope of pardon prompting the Defendant to enter the foregoing plea.

It was further apparent to the Court that said Defendant clearly understood the nature and consequences of the plea, but persisted in continuing to make and enter the plea after being duly admonished by the Court of the consequences. The Court then received the plea and ordered the same to be entered of Record in the Minutes.

WHEREUPON, both the State and Defendant were duly afforded ample opportunity to submit such evidence and advance such information and discussion as deemed necessary.

It is THEREFORE, ORDERED, ADJUDGED, and DECREED by the Court, premises considered, that the plea of said Defendant be and is hereby duly accepted, and that the Defendant as indicated above be and is found and adjudged guilty of the foregoing offense as charged and set out in the instrument. That the fine and punishment to be imposed therefore, as found and determined by the Court, is hereby assessed against said Defendant as indicated above.

It is further ORDERED and DECREED by the Court that the State of Texas have and recover judgment against said Defendant for the foregoing fine and punishment, and for such court costs,, if any, that may be taxed

herein; and that all writs, process, and remedies prescribed by law and necessary for the enforcement of this Judgment may issue as directed by law.

It is ORDERED that the defendant's fingerprint appear on this judgment and that the same be taken in accordance with Article 38.33 of the Texas Code of Criminal Procedure.

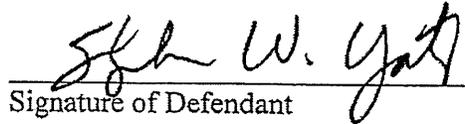
The Defendant is ORDERED to report to the Angelina County Jail for administrative processing, if necessary, to obtain a tracking number in accordance with Chapter 61 of the Texas Code of Criminal Procedure.

Signed and entered this 27<sup>th</sup> day of November, 2018.

RIGHT THUMBPRINT:



  
\_\_\_\_\_  
Judge Presiding, County Court at Law No. 1  
Angelina County, Texas

  
\_\_\_\_\_  
Signature of Defendant

## ATTACHMENT 2



CASE NO. 154373101010  
 INCIDENT NO./TRN: 9265070889A001

PS

THE STATE OF TEXAS

§  
§  
§  
§  
§  
§  
§

IN THE 337TH DISTRICT

v.

COURT

YATES, STEPHEN WALTERS

HARRIS COUNTY, TEXAS

STATE ID No.: TX02221288

**JUDGMENT OF CONVICTION BY COURT—WAIVER OF JURY TRIAL**

Judge Presiding: HON. RITCHIE, HERB Date Judgment Entered: 09/14/2017

Attorney for State: CONDON, CHRIS Attorney for Defendant: MEDLEY, JIM

Offense for which Defendant Convicted:

**DWI THIRD**

Charging Instrument: INDICTMENT Statute for Offense: N/A

Date of Offense: 03/09/2017

Degree of Offense: 3RD DEGREE FELONY Plea to Offense: GUILTY Findings on Deadly Weapon: N/A

Terms of Plea Bargain: WITHOUT AGREED RECOMMENDATION

Plea to 1<sup>st</sup> Enhancement Paragraph: N/A Plea to 2<sup>nd</sup> Enhancement/Habitual Paragraph: N/A

Findings on 1<sup>st</sup> Enhancement Paragraph: N/A Findings on 2<sup>nd</sup> Enhancement/Habitual Paragraph: N/A

Date Sentence Imposed: 09/14/2017 Date Sentence to Commence: N/A

Punishment and Place of Confinement: 10 YEARS INSTITUTIONAL DIVISION, TDCJ

THIS SENTENCE SHALL RUN CONCURRENTLY.

SENTENCE OF CONFINEMENT SUSPENDED, DEFENDANT PLACED ON COMMUNITY SUPERVISION FOR 10 YEARS.

Fine: \$ 1000 Court Costs: \$ As Assessed Restitution: \$ N/A Restitution Payable to:  VICTIM (see below)  AGENCY/AGENT (see below)

Sex Offender Registration Requirements do not apply to the Defendant. TEX. CODE CRIM. PROC. chapter 62

The age of the victim at the time of the offense was N/A

If Defendant is to serve sentence in TDCJ, enter incarceration periods in chronological order.

Time Credited:	From _____ to _____	From _____ to _____
	From _____ to _____	From _____ to _____
	From _____ to _____	From _____ to _____

If Defendant is to serve sentence in county jail or is given credit toward fine and costs, enter days credited below.

N/A DAYS NOTES: N/A

All pertinent information, names and assessments indicated above are incorporated into the language of the judgment below by reference.

This cause was called for trial in Harris County, Texas. The State appeared by her District Attorney.

Counsel / Waiver of Counsel (select one)

- Defendant appeared in person with Counsel.
- Defendant knowingly, intelligently, and voluntarily waived the right to representation by counsel in writing in open court.

Both parties announced ready for trial. Defendant waived the right of trial by jury and entered the plea indicated above. The Court then admonished Defendant as required by law. It appeared to the Court that Defendant was mentally competent to stand trial, made the plea freely and voluntarily, and was aware of the consequences of this plea. The Court received the plea and entered it of record. Having heard the evidence submitted, the Court found Defendant guilty of the offense indicated above. In the presence of Defendant, the Court pronounced sentence against Defendant.

The Court FINDS Defendant committed the above offense and **ORDERS, ADJUDGES AND DECREES** that Defendant is **GUILTY** of the above offense. The Court FINDS the Presentence Investigation, if so ordered, was done according to the applicable provisions of TEX. CODE CRIM. PROC. art. 42.12 § 9.

The Court **ORDERS** Defendant punished as indicated above. The Court **ORDERS** Defendant to pay all fines, court costs, and restitution as indicated above.

**Punishment Options (select one)**

**Confinement in State Jail or Institutional Division.** The Court **ORDERS** the authorized agent of the State of Texas or the Sheriff of this County to take, safely convey, and deliver Defendant to the **Director, Institutional Division, TDCJ**. The Court **ORDERS** Defendant to be confined for the period and in the manner indicated above. The Court **ORDERS** Defendant remanded to the custody of the Sheriff of this county until the Sheriff can obey the directions of this sentence. The Court **ORDERS** that upon release from confinement, Defendant proceed immediately to the **Harris County District Clerk's office**. Once there, the Court **ORDERS** Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court above.

**County Jail—Confinement / Confinement in Lieu of Payment.** The Court **ORDERS** Defendant immediately committed to the custody of the **Sheriff of Harris County, Texas** on the date the sentence is to commence. Defendant shall be confined in the **Harris County Jail** for the period indicated above. The Court **ORDERS** that upon release from confinement, Defendant shall proceed immediately to the **Harris County District Clerk's office**. Once there, the Court **ORDERS** Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court above.

**Fine Only Payment.** The punishment assessed against Defendant is for a **FINE ONLY**. The Court **ORDERS** Defendant to proceed immediately to the **Office of the Harris County District Clerk**. Once there, the Court **ORDERS** Defendant to pay or make arrangements to pay all fines and court costs as ordered by the Court in this cause.

**Execution / Suspension of Sentence (select one)**

The Court **ORDERS** Defendant's sentence **EXECUTED**.

The Court **ORDERS** Defendant's sentence of confinement **SUSPENDED**. The Court **ORDERS** Defendant placed on community supervision for the adjudged period (above) so long as Defendant abides by and does not violate the terms and conditions of community supervision. The order setting forth the terms and conditions of community supervision is incorporated into this judgment by reference.

The Court **ORDERS** that Defendant is given credit noted above on this sentence for the time spent incarcerated. The Court further **ORDERS** that if the defendant is convicted of two or more offenses in a single criminal action, that each cost or fee amount must be assessed using the highest category of offense. Tex. Code Crim. P. art. 102.073.

**Furthermore, the following special findings or orders apply:**

**APPEAL WAIVED. NO PERMISSION TO APPEAL GRANTED.**

**PROBATION**

**TOXICOLOGICAL EVIDENCE IN THIS CASE MUST BE RETAINED AND PRESERVED PURSUANT TO TEXAS CODE OF CRIMINAL PROCEDURE ART. 38.50 FOR THE DURATION OF THE DEFENDANT'S TERM OF COMMUNITY SUPERVISION.**

**DEF TO SERVE 10 DAYS HCJ AS SOP BEG 11/6/17  
DRIVER'S LICENSE SUSPENSION FOR 2 YEARS**

Signed and entered on 09/14/2017



**RITCHIE, HERB  
JUDGE PRESIDING**

Notice of Appeal Filed: \_\_\_\_\_

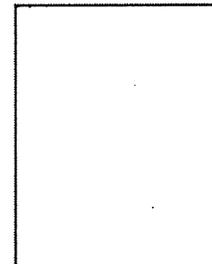
Mandate Received: \_\_\_\_\_ Type of Mandate: \_\_\_\_\_

After Mandate Received, Sentence to Begin Date is: \_\_\_\_\_

Jail Credit: \_\_\_\_\_

Def. Received on at  AM  PM

By: Deputy Sheriff of Harris County



Right Thumbprint

Clerk: K PEREZ  
Case Number: 154373101010  
Defendant: YATES, STEPHEN WALTERS

FIN (CAS 20.10): EN/KR04 LCBT: LCBU: EN/KR18:

*DD*

## CONDITIONS OF COMMUNITY SUPERVISION

THE STATE OF TEXAS  
VS.  
STEPHEN WALTERS YATES

IN THE 337th DISTRICT COURT OF  
HARRIS COUNTY, TEXAS  
CAUSE NUMBER 154373101010

On this the 14th day of September, 2017, you are sentenced to 10 Years in the Texas Department of Criminal Justice-Institutional Division probated for 10 Years community supervision for the felony offense of DWI THIRD in accordance with section 3 of Article 42.12, Texas Code of Criminal Procedure, in the 337th District Court of Harris County, Texas, by the Honorable HERB RITCHIE Judge Presiding. It is the order of this Court that you abide by the following Conditions of Community Supervision:

- (1) Commit no offense against the laws of this or any other State or of the United States. You are to report any arrests within 24 hours.
- (2) Not use, possess, or consume any illegal drug or prescription drug not currently prescribed to you by a medical professional. You shall bring all current prescription bottles to your Community Supervision Officer. If new medication is prescribed, you must bring the new prescription bottle by your next scheduled report date.
- (3) Report to the Community Supervision Officer as directed for the remainder of the supervision term unless so ordered differently by the Court.
- (4) Permit a Community Supervision Officer to visit you at your home, place of employment or elsewhere.
- (5) Work at suitable employment and/or attend school full-time. Present either verification of employment or provide a log of all attempts to secure employment to your Community Supervision Officer as directed. You must notify HCCSCD of any change in your employment status by your next scheduled reporting date.
- (6) Abide by the rules and regulations of the Harris County Community Supervision and Corrections Department (hereinafter referred to as HCCSCD).
- (7) Remain within Harris County, Texas or any counties directly touching Harris County, Texas. You may not travel outside these locations unless you receive prior written permission from the Court through your Community Supervision Officer.
- (8) Notify HCCSCD by your next report date of any change in residence.
- (9) Submit a non-diluted, valid, unaltered sample for the purpose of alcohol/drug monitoring at the request of the HCCSCD.
- (10) Participate in the HCCSCD Community Service Restitution Program (CSRP). You shall perform 350 hours as directed by HCCSCD CSRP policy. Hours must be completed 60 days prior to termination.
- (11) Submit to a screening and/or assessment through HCCSCD Assessment Unit by 10/30/2017.
- (12) Submit to an evaluation of your educational skill level by 10/14/2017. If it is determined that you have not attained the average skill of students who have completed the sixth grade in public schools in this State, you shall participate in a program that teaches functionally illiterate persons to read. If you are non-English speaking, you will participate in English as a Second Language (ESL) program, if it is determined there is a need in order for you to meet the state mandate beginning upon referral until successfully discharged or released by further order of the Court.
- (13) Support your dependents as required by law. Provide your Community Supervision Officer with a certified copy of all court orders requiring payment of child support.
- (14) Not ship, transport, possess, receive, or purchase a firearm, altered firearm, or ammunition, or attempt to ship, transport, possess, receive, or purchase a firearm, altered firearm, or ammunition.
- (15) Pay the following fees through HCCSCD. All payments MUST be in the form of a Money Order, Cashier's Check or credit card. Credit card can be used to submit online payments at <http://www.go2gov.net/go/hccscd>. A \$ 2.00 transaction fee will be charged by HCCSCD to process each payment.

## CONDITIONS OF COMMUNITY SUPERVISION

For: STEPHEN WALTERS YATES

Cause: 154373101010

- 15.1 Pay a Supervision Fee at the rate of \$ 60.00 per month for the duration of your community supervision beginning 12/14/2017 to HCCSCD.
  - 15.2 Pay a \$ 12.50 fee for an Offender Identification Card by 12/14/2017 to HCCSCD.
  - 15.3 Pay a one- time fee of \$ 100.00 to HCCSCD for the purpose of screening and assessment.
  - 15.4 Pay a Fine of \$ 1,000.00 and Court Costs at the rate of \$ 35.00 per month beginning 10/14/2017 to Harris County through HCCSCD. Court grants credit for 0 days served. .
  - 15.5 Pay Donation of \$ 100.00 to CRIME STOPPERS OF HOUSTON by 09/14/2018 through HCCSCD.
  - 15.6 Pay \$ 10.00 per month to cover expenses of drug testing.
  - 15.7 Report in person to HCCSCD to provide a DNA sample to the Department of Public Safety at the direction of and through HCCSCD for the purpose of creating a DNA Record by 12/14/2017 unless a sample has already been submitted under other state law and pay a \$ 25.00 fee.
- (16) Participate in and complete, within 180 days from the 09/14/2017 date Community Supervision is granted, an approved alcohol/drug education program, Texas D.W.I. Intervention Program for Repeat Offenders as required by V.A.C.C.P. Art. 42.12, Sec 13. Comply with all program rules, regulations, and guidelines until successfully discharged or released by further order of the Court.
  - (17) Not drive without the permission of the court. If you are granted permission you must maintain Financial Responsibility as identified in the statute.
  - (18) Not use, consume, or possess alcoholic beverages.
  - (19) Serve **10 DAYS** in the Harris County Jail or otherwise directed by the court beginning 11/14/2017 to be served as **CONSECUTIVE** hours.
  - (20) Your **Texas Driver 's License is suspended** for a period of 2 YEARS. If you receive your Texas Drivers License in the mail, you may not drive.
  - (21) Attend Intensive Outpatient Program and/or Supportive Outpatient Program and Aftercare until successfully completed or as designated by the court.
  - (22) You must place a court- approved deep- lung breath analysis mechanism (**ignition interlock**) with **photographic capabilities** on any vehicle you drive, to make impractical the operation of the motor vehicle if ethyl alcohol is detected in your breath beginning 09/15/2017 until released by further order of the Court. You may not operate a motor vehicle unless it is equipped with an above said device. **If you do not have a vehicle or access to a vehicle upon which you can install the above said device, you are ordered to have a court- approved At- Home Alcohol Monitor or a Secure Continuous Remote Alcohol Monitoring (SCRAM) device within 5 days of this order.**

Unofficial Copy  
For Maitlyn Burgess, District Clerk

**CONDITIONS OF COMMUNITY SUPERVISION**

For: STEPHEN WALTERS YATES

Cause: 154373101010

I understand that under the laws of this State, the Court shall determine the terms and conditions of Community Supervision, and may alter or modify said conditions during the period of Community Supervision. I further understand that failure to abide by these Conditions of Community Supervision may result in the revocation of Community Supervision or an adjudication of guilt.

Community Supervision expires the 13th day of September A.D. 2027

*Stephen Yates*  
STEPHEN WALTERS YATES, DEFENDANT

September 14, 2017  
DATE

Signed this 14th day of September A.D. 2017

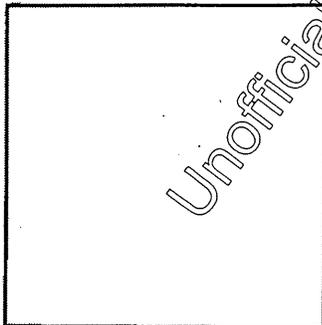
*Herb Ritchie*  
HERB RITCHIE, PRESIDING JUDGE

*AS*  
ANGELICA SALVADOR, CLO/CSO OFFICER

September 14, 2017  
DATE

SPN: 02897152

PLEA: GUILTY



Defendant's Right Thumbprint

Unofficial Copy Office of Marilyn Burgess District Clerk

D

994

NO 154373

THE STATE OF TEXAS

§

337TH DISTRICT COURT

v. Stephen Yates

§

§

HARRIS COUNTY, TEXAS

**ORDER: CONDITION OF PROBATION DO NOT OPERATE A MOTOR VEHICLE**

It is ordered that as a condition of probation, the defendant shall not operate a motor vehicle.

The Court further finds that is it NOT in the best interest of justice to require the defendant to install an ignition interlock device on a motor vehicle.

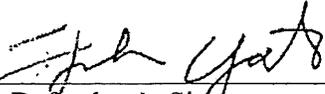
A violation of this condition may result in your probation being revoked.

This order will remain in effect until this matter is disposed or by further order of the Court.

SIGNED on 9-14-17

  
\_\_\_\_\_  
Judge Presiding ☆



I received a copy of this order:   
Defendant's Signature

Unofficial Copy Office of Marilyn Burgess District Clerk



15437310101 - The State of Texas vs. YATES, STEPHEN WALTERS (Court 337)

Print All (non-financial)

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\* Note: Only non-confidential public civil/criminal documents are available to the Public. All non-confidential Civil documents are imaged. In Family Cases, select non-confidential documents and all e-filings are available in electronic format (not every document is available for electronic viewing and a document may be filed in the case that is not viewable electronically). In Criminal Cases, select non-confidential documents are available in electronic format (not every document is available for electronic viewing and a document may be filed in the case that is not viewable electronically). If the case or Civil document you are looking for is not available and should be, please click here to notify Customer Service. You may print and save uncertified copies of documents from the preview window.

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Print List

Image No.	Title	[Reset Sort]	Post Jdgm	Date	Pages	Add to Basket
780816374	OTHER-MOTION TO REVOKE PROBATION			07/13/2018	2	Add to Basket
76646288	BAIL- CONDITIONS NO DRIVING			09/14/2017	1	Add to Basket
76646289	OTHER-ELECTRONIC MONITOR DEVICE			09/14/2017	1	Add to Basket
76681431	JUDGMENT			09/14/2017	5	Add to Basket
76686142	ACKNOWLEDGMENT OF COMPLIANCE WITH ARTICLE 39.14			09/14/2017	11	Add to Basket
	DISPOSED - PLEA AGREEMENT			09/14/2017		
	DISPOSED- PLEA ADMONISHMENT			09/14/2017		
	DISPOSITION - TRIAL COURT CERTIFICATION OF DEFENDANT'S RIGHT OF APPEAL			09/14/2017		
	TRIAL - DISCOVERY			09/14/2017		
76686209	CITIZENSHIP STATEMENT			09/14/2017	1	Add to Basket
76686331	MOTION FOR COMMUNITY SUPERVISION			09/14/2017	1	Add to Basket
78025242	NOTICE OF INTENTION TO USE EVIDENCE OF PRIOR CONVICTIONS AND EXTRANEIOUS OFFENSES			09/14/2017	1	Add to Basket
78025274	PLEA TERM/ WOAR			09/14/2017	1	Add to Basket
78025301	SUBPOENA DUCES TECUM			08/09/2017	1	Add to Basket
78028417	APPLICATION FOR SUBPOENA			08/08/2017	1	Add to Basket
78028418	SUBPOENA DUCES TECUM			08/08/2017	1	Add to Basket
78025849	CASE RESET FORM			08/04/2017	1	Add to Basket
76070124	CHARGING INSTRUMENT - FELONY INDICTMENT			07/25/2017	1	Add to Basket
78045271	CASE RESET FORM			06/30/2017	1	Add to Basket
75440139	SUBPOENA DUCES TECUM			06/08/2017	1	Add to Basket
78028415	APPLICATION FOR SUBPOENA			06/05/2017	1	Add to Basket
78028416	SUBPOENA DUCES TECUM			06/05/2017	1	Add to Basket
78025846	CASE RESET FORM			06/01/2017	1	Add to Basket
78025300	SUBPOENA DUCES TECUM			05/19/2017	1	Add to Basket
78025311	APPLICATION FOR SUBPOENA			05/17/2017	1	Add to Basket
78045272	SUBPOENA DUCES TECUM			05/17/2017	1	Add to Basket
78025847	CASE RESET FORM			05/09/2017	1	Add to Basket
78025850	CASE RESET FORM			04/11/2017	1	Add to Basket
78030478	DEFENDANTS NOTICE AND REQUEST FOR DISCLOSURE OF EXPERT WITNESSES/EXTRANEIOUS CONDUCT			04/11/2017	2	Add to Basket
74233080	PROBABLE CAUSE & STATUTORY WARNINGS			03/13/2017	1	Add to Basket
74233083	BAIL - CSCD PRETRIAL SUPERVISION ORDER			03/13/2017	1	Add to Basket
74233085	CONDITIONS OF BAIL			03/13/2017	1	Add to Basket
78025848	CASE RESET FORM			03/13/2017	1	Add to Basket
74220890	BAIL - BOND			03/11/2017	2	Add to Basket
74187985	CHARGING INSTRUMENT - COMPLAINT			03/10/2017	1	Add to Basket

(WSB)

# ATTACHMENT 3

P2



CASE NO. 154373101010  
INCIDENT NO./TRN: 9265070889A001

THE STATE OF TEXAS

v.

YATES, STEPHEN WALTER

STATE ID No.: TX02221288

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IN THE 337TH DISTRICT

COURT

HARRIS COUNTY, TEXAS

TOXE  
(992-  
DIRCS  
(999)

**JUDGMENT REVOKING COMMUNITY SUPERVISION**

Judge Presiding:	HON. HERB RITCHIE	Date Judgment Entered:	9/21/2018
Attorney for State:	WILLIAMS, MEAGAN	Attorney for Defendant:	MEDLEY, JIM
Date of Original Community Supervision Order:	9/14/2017	Statute for Offense:	N/A
Offense for which Defendant Convicted:	DWI THIRD		
Date of Offense:	3/9/2017		
Degree of Offense:	3RD DEGREE FELONY	Plea to Motion to Revoke:	TRUE
Original Punishment Assessed:	10 YEARS INSTITUTIONAL DIVISION, TDCJ PROBATED 10 YEARS FINE: \$ 1000.00		
Shock Community Supervision:	N/A FINE: \$ N/A		
Date Sentence Imposed:	09/21/2018	Date Sentence to Commence:	09/21/2018
Punishment and Place of Confinement:	3 YEARS INSTITUTIONAL DIVISION, TDCJ		

THIS SENTENCE SHALL RUN CONCURRENTLY.

Fine:	Court Costs:	Restitution:	Restitution Payable to:
\$ 1000.00	As Assessed	\$ N/A	<input type="checkbox"/> VICTIM (see below) <input type="checkbox"/> AGENCY/AGENT (see below)

IS ORIGINAL JUDGMENT/SENTENCE REFORMED? YES

In accordance with Section 12.44(a) Penal Code, the Court finds that the ends of justice would best be served by punishment as a Class A misdemeanor. Defendant is adjudged to be guilty of a state jail felony and is assessed punishment indicated above.

Sex Offender Registration Requirements do not apply to the Defendant. TEX. CODE CRIM. PROC. chapter 62

The age of the victim at the time of the offense was N/A

If Defendant is to serve sentence in TDCJ, enter incarceration periods in chronological order.

From	3/9/2017	to	3/10/2017	From		to	
From	11/6/2017	to	11/15/2017	From		to	
From	7/16/2018	to	9/21/2018	From		to	

If Defendant is to serve sentence in county jail or is given credit toward fine and costs, enter days credited below.

**N/A DAYS** NOTES: N/A

All pertinent information, orders and assessments indicated above are incorporated into the language of the judgment below by reference.

This cause was called in Harris County, Texas. The State appeared by her District Attorney.

**Counsel / Waiver of Counsel (select one)**

Defendant appeared in person with Counsel.

Defendant knowingly, intelligently, and voluntarily waived the right to representation by counsel in writing in open court.

The State filed a motion to revoke Defendant's community supervision. After hearing the State's motion, Defendant's plea, the evidence submitted, and reviewing the record, the Court GRANTS the State's motion. The Court's record indicates that Defendant was previously convicted of a felony offense and punishment was assessed as indicated above. The record indicates the Court ordered imposition of Defendant's sentence of confinement suspended and placed Defendant on community supervision for 10 YEARS and a FINE \$ 1000.00.

The Court FINDS Defendant has violated the conditions of community supervision as set out in the State's ORIGINAL Motion to Revoke Community Supervision as follows:

**RECORDER'S MEMORANDUM**  
This instrument is of poor quality at the time of imaging.

**COMMITTING AN OFFENSE AGAINST THE STATE OF TEXAS, FAILURE TO PAY FINE AND COURT COSTS, DRIVING**

Accordingly, the Court ORDERS the previous orders in this cause suspending imposition of sentence of confinement and placing Defendant on community supervision **REVOKED**. (select one of the following)

- The Court ORDERS Defendant punished in accordance with the judgment and sentence originally entered in this cause.
- Finding it to be in the interest of justice, the Court ORDERS Defendant punished in accordance with the reformed judgment and sentence indicated above.

**Punishment Options (select one)**

**Confinement in State Jail or Institutional Division.** The Court ORDERS the authorized agent of the State of Texas or the Sheriff of this County to take, safely convey, and deliver Defendant to the Director, Institutional Division, TDCJ. The Court ORDERS Defendant to be confined for the period and in the manner indicated above. The Court ORDERS Defendant remanded to the custody of the Sheriff of this county until the Sheriff can obey the directions of this sentence. The Court ORDERS that upon release from confinement, Defendant proceed immediately to the Harris County District Clerk's office. Once there, the Court ORDERS Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court above.

**County Jail—Confinement / Confinement in Lieu of Payment.** The Court ORDERS Defendant immediately committed to the custody of the Sheriff of Harris County, Texas on the date the sentence is to commence. Defendant shall be confined in the Harris County Jail for the period indicated above. The Court ORDERS that upon release from confinement, Defendant shall proceed immediately to the Harris County District Clerk's office. Once there, the Court ORDERS Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court above.

**Fine Only Payment.** The punishment assessed against Defendant is for a FINE ONLY. The Court ORDERS Defendant to proceed immediately to the Office of the Harris County District Clerk. Once there, the Court ORDERS Defendant to pay or make arrangements to pay all fines and court costs as ordered by the Court in this cause.

The Court ORDERS Defendant's sentence EXECUTED.

The Court ORDERS that Defendant is given credit noted above on this sentence for the time spent incarcerated.

The Court further ORDERS Defendant to pay all fines, court costs, and restitution as indicated above.

The Court ORDERS that Defendant is given credit noted above on this sentence for the time spent incarcerated. The Court further ORDERS that if the defendant is convicted of two or more offenses in a single criminal action, that each cost or fee amount must be assessed using the highest category of offense. Tex. Code Crim. P. art. 102.073.

**Furthermore, the following special findings or orders apply:**

APPEAL WAIVED. NO PERMISSION TO APPEAL GRANTED.

TOXICOLOGICAL EVIDENCE IN THIS CASE MUST BE RETAINED AND PRESERVED PURSUANT TO TEXAS CODE OF CRIMINAL PROCEDURE ART. 38.50 FOR THE DURATION OF THE DEFENDANT'S IMPOSED SENTENCE

2 YEARS DRIVER'S LICENSE SUSPENSION

NAME CHANGE FROM YATES, STEPHEN WALTERS

Signed and entered on 09/21/2018

x   
HERB RITCHIE  
 JUDGE PRESIDING

Notice of Appeal Filed: 10-1-2018

Mandate Received: Type of Mandate: 2-15-19-Affirmed

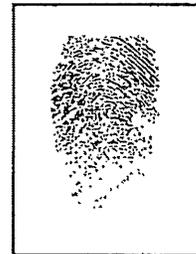
After Mandate Received, Sentence to Begin Date: 9-21-2018

Jail Credit: To Run He Home

Def. Received on at  AM /  PM

By: Deputy Sheriff of Harris County

Clerk: M JONES  
Case: 154373101010  
Defendant: YATES, STEPHEN WALTER



Right Thumbprint

THE STATE OF TEXAS

IN THE 337th DISTRICT COURTVS. STEPHEN WALTERS YATES

OF

HARRIS COUNTY, TEXAS

**MOTION TO REVOKE COMMUNITY SUPERVISION**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, THE STATE OF TEXAS, by and through the undersigned Assistant District Attorney and shows the Court that heretofore on the 14th day of September, 2017 the Defendant herein was adjudged guilty of the felony offense of

DWI THIRD

a felony, and was granted Community Supervision for a period of 10 years in accordance with Section 3 of Article 42.12 of the Texas Code of Criminal Procedure.

Further, the State would show that the Court ordered the Defendant herein to abide by certain conditions of Community Supervision during the term of Community Supervision and among the conditions of Community Supervision ordered by the Court were the following conditions of Community Supervision.

- 1 Commit no offense against the laws of this or any other State or of the United States. You are to report any arrests within 24 hours.
- 15.4 Pay a Fine of \$1,000.00 and Court Costs at the rate of \$35.00 per month beginning 10/14/2017 to Harris County through HCCSCD. Court grants credit for 0 days served.
- 19 Not drive without the permission of the court. If you are granted permission you must maintain Financial Responsibility as identified in the statute.

The State would further show the said Defendant did then and there violate terms and conditions of Community Supervision by: Committing an offense against the State of Texas, to-wit; on or about MARCH 19, 2018, in Angelina County in Eastern Texas, STEPHEN WALTERS YATES, hereafter styled the Defendant, did then and there unlawfully commit the criminal offense of Causing an Accident Involving Damage to Vehicle, as evidenced by Incident Report 1800007632 from the Lufkin Police Department in Angelina County in Eastern Texas.

The State would further show the said Defendant did then and there violate terms and conditions of Community Supervision by: Failing to pay a Fine and Court Costs, to-wit; the Defendant has failed to pay a Fine and Court Costs as directed by the Court, and is \$35.00 in arrears as of July 10, 2018.

The State would further show the said Defendant did then and there violate terms and conditions of Community Supervision by: Driving a vehicle without maintaining Financial Responsibility as observed by Law Enforcement personnel with the Lufkin Police Department on or about March 19, 2018.

Official Copy Office of Marilyn Burgess District Clerk

WHEREFORE, THE STATE PRAYS that Alias Capias issue and upon arrest that a hearing be given the Defendant and that on the final hearing the Community Supervision be revoked.

[Signature]  
ASSISTANT DISTRICT  
ATTORNEY  
HARRIS COUNTY, TEXAS

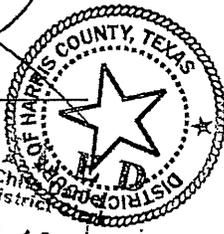
MOTION GRANTED AS PRAYED FOR and the Clerk is hereby ORDERED to issue Alias Capias for arrest of the Defendant and that a copy of this Motion be served on the Defendant.

SIGNED THIS THE 12 day of July A.D., 2018

ATTEST

Chris Daniel  
District Clerk  
Harris County, Texas

By: [Signature]  
(Deputy)



JUL 13 2018

PJ  
7/11/2018

[Signature]  
HONORABLE HERB RITCHIE JUDGE  
PRESIDING, 337th DISTRICT COURT  
Harris County, Texas

ACTION DIRECTED BY THE COURT

- A. File Motion to Revoke \_\_\_\_\_
- B. No Action Desired \_\_\_\_\_
- C. Hold Pending \_\_\_\_\_

[Signature]  
JUDGE, 337th DISTRICT COURT

SUPERVISION OFFICER ANGELICA SALVADOR

DATE SUBMITTED 7.13.2018